

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

TO:

Jim Christensen
Altius Development
P.O. Box 2673
Issaquah, WA 98027

Mary Stevens
220 First Avenue NE
Issaquah, WA 98027

First Avenue, LLC
P.O. Box 2673
Issaquah, WA 98027

SUBJECT:

220 1st Avenue LLC

APPLICATIONS:

PLN12-00010 (Short Plat)
PLN12-00011 (Administrative Site Development Permit)
PLN12-00012 (Administrative Adjustment of Standards: Setbacks)

DATE OF DECISION:

August 24, 2012

REQUEST:

An Administrative Site Development Permit has been submitted for the construction of 2 duplex buildings for a total of 4 dwelling units to be placed on two existing lots zoned "SF-D" (Single Family – Duplex). An existing single family house and detached garage will be torn down.

An administrative adjustment of standards is requested to reduce the front yard setback on the southwestern lot facing NE Creek Way (lot 2) from 10 feet to 6 feet as the duplex will be designed with the front yard facing 1st Avenue and the side yard facing Creek Way.

A Short Plat subdivision is requested to divide the existing 2 lots into 4 lots to allow a dwelling unit on each lot (zero lot line with each duplex). Two of the dwelling units will have access to the west along 1st Avenue and 2 of the dwelling units will have access to the east off the alley.

LOCATION:

The project is located at 220 1st Avenue NE, in the "Olde Town" Subarea. See Vicinity Map, Exhibit 4.

SUBAREA MAP:

The project is located with the "Olde Town" subarea of the Issaquah Comprehensive Plan, as amended January 16, 2011.

LEGAL DESCRIPTION: Lots 1 and 2, Block 1, Miles and Bradley's Subdivision of Issaquah, Washington.

KING COUNTY PARCELS: 552860-0005-4
552860-0010-7

ZONING: "SF-D" (Single Family Duplex)

COMPREHENSIVE PLAN: "Low Density Residential". The site is located outside of the boundary designated for "Olde Town Design Standards".

SITE AREA: 12,912 square feet (0.3 acre)

EXISTING LAND USE: The property is currently developed with an older 1 1/2-story single-family house with a detached garage. A site survey of the property including identifying the existing house and garage and significant trees on the property was provided on a short plat drawings, Exhibit 21 and 38.

Properties surrounding the subject site are developed with a mix of single family and duplex dwellings.

DECISION MADE: On August 24, 2012, the Development Services Department conditionally approved the 4-lot Short Plat, Administrative Site Development Permit and Administrative Adjustment of Standards for Setbacks for the above proposal. Approval of this application is based on the submittal of February 29, 2012, and additional information provided thereafter, Exhibits 1 through 43, and approval is subject to the following conditions:

SHORT PLAT:

1. Following expiration of the appeal period of this Notice of Decision, provide the City with a mylar copy of the approved short plat. Upon City signature of the Mylar, the applicant shall record the approved Short Plat with the King County Department of Records and Elections. The Short Plat shall not be deemed formally approved until so filed.
2. The Planning file number shall be placed on both mylar sheets. The short plat file number is: PLN12-00010.
3. On sheet 1 of 2, change "Planning Director" to "Issaquah Development Services Department".
4. As required by IMC 18.07.440(D)(3)(d), the owner shall be required to record a covenant in a form approved by the City which will require the building location on the lot with only one side at zero (0) feet setback, limit the right to only one attached single family housing unit per three thousand (3,000) square feet of lot area, prohibit building a detached housing unit, prohibit an Accessory Dwelling Unit (ADU) and grant access easements as may be needed for maintenance of an adjoining unit.
5. Three copies of the recorded Short Plat drawings shall be provided to the Development Services Department within ten (10) days of recording with the King County Department of Records and Elections.

6. One (1) electronic copy of the final plans shall be provided in a software format acceptable to the Public Works Department.
7. All new property corners of the lots shall have a rebar and cap set per current WAC guidelines for land surveys.

ADMINISTRATIVE SITE DEVELOPMENT PERMIT & ADJUSTMENT OF STANDARDS:

8. Construction permits shall be issued prior to the start of construction of the duplexes dwellings, including a Building Permit(s) and a Public Works Permit. All conditions of those permits shall be complied with.
9. A Street Use Permit from the Public Works Department is required for any construction activity taking place on City-owned right-of-way.
10. Payment of Impact Fees will be required with the issuance of the Building Permit(s) based on the difference between the existing single family dwelling on the property (receives credit) and new dwelling units proposed. The impact fees assessed will include: Transportation Impact Fee, School Impact Fee, Parks Impact Fee and Fire Impact Fee; based upon the impact fee schedule in effect at the time of Building Permit issuance.
11. In accordance to Building Department review:
 - a) An asbestos survey must be conducted by an AHERA - certified building inspector and filed with the Puget Sound Clean Air Agency (206-515-2800). 2. A Notice of Intent MUST be filed with the Puget Sound Air Pollution Control Agency prior to any demolition work being done. A copy of the Notice of Intent must be kept on site and be available for review by inspection personnel. 3. All asbestos must be removed prior to demolition.
 - b) A foundation soils report by a licensed WA state geotechnical engineer will be required at the time of building permit submittal.
 - c) (2)1 -hour walls creating a fire separation are required by section R302 of the 2009 International Residential Code (IRC) must be provided, between the duplexes at the property line.
12. In accordance with Fire Department review: Address/Monument sign is required to show addresses of lots being served.
13. The water meters shall be located in the planter.
14. Fencing within the front yards (defined as the first 10 feet) shall not exceed 4 feet in height.
15. Any outdoor lighting shall meet the requirements of the Washington State Energy Code. All outdoor lighting will also need to comply with the requirements of the Outdoor Lighting standards of the Land Use Code, Chapter 18.07.107.
16. Existing trees on the property that are proposed to be retained per the Landscaping Plan, shall be provided appropriate tree protection measures during construction, to include, but not be limited to chain link or similar fencing at the drip line of the trees and no disturbance or storage of construction materials within the drip line. Tree protection must be in place prior to construction or demolition activities. No trees are to be damaged or removed. except as shown on the approved plans.

17. Care to protect the trees on site must be taken when installing any underground utilities and plantings. City is to approve route of any trenching or excavations.
18. A complete landscape plan shall include the following: 1) A plant legend with the common and scientific name of all plants shown on the plan; 2) Quantities for all trees and shrubs; 3) Spacing for all groundcovers; 4) Sizes for all plants and all above ground features that will be a part of the landscape (utility boxes, fire hydrants, fences, light poles, signs, etc.). 5) Planting Specifications: Planting holes shall be three times the diameter of the root-ball and the same depth as the root-ball for all plants. 6) Tree Staking: Trees will be staked using posts installed parallel to the trunk at least 12" away from the trunk and tied to the trunk with plastic interlocking tree ties or City approved equal. Large trees may be guyed with cables and anchors, subject to City approval; 7) All burlap, ties, wire baskets, etc. are to be removed from the rootball at time of planting; 8) Native soil on the site is good quality and can be used instead of importing blended topsoil; 9) 1 gal Kinnikinnick should be spaced on 18" centers; 10) Prairefire Crabapple is a small, low branching tree that will require regular pruning for sidewalk clearance. This will be the property owner's responsibility, not the City's.
19. Any substitutions of landscaping materials shall be approved by the Development Services Department.
20. A Plumbing Permit will be required if an underground irrigation system for the landscaping is installed.
21. Prior to issuance of the Certificate of Occupancy/Final, a landscape maintenance cash deposit or other acceptable security worth 50% of the value of the landscaped material, cost of labor, irrigation and materials shall be posted with the City for a period of three (3) years as required by the landscaping code, IMC chapter 18.12.160(A)(2). In addition, all landscaping shall be maintained in a safe, healthy and attractive manner, and kept free of weeds and litter, and the plant materials shall be maintained in a good growing condition in perpetuity.
22. Construction shall be limited to Monday through Friday, except holidays. Hours of operation shall be 7:00 AM to 6:00 PM or as otherwise approved by the Development Services Department.

REASONS FOR DECISION: SHORT PLAT:

1. Issaquah Municipal Code (IMC) 18.04.400 of the Land Use Code authorizes the Development Services Department to review the Short Plat through the Level 2 Review process (administrative review and approval). The Level 2 Review requires public notice to property owners within 300 feet of the site and a decision by the Development Services Department.
2. The property is zoned Single Family-Duplexes Suburban (SF-D). Duplex dwellings are a permitted land use in this zone. The subject property is currently developed with a single family house and a detached garage that will be demolished. The applicant desires to subdivide the property into 4 lots which will then allow a dwelling unit on its own lot, but visually from the street will appear as 2 duplex buildings.
3. The minimum lot size in the SF-D zone is 6,000 square feet according to the District Standards Table, IMC 18.07.360 and may be reduced to a minimum of 3,000 square feet as attached single family units as proposed. The density of the property is not increased by this 4-lot subdivision.

4. SEPA: Short plats are exempt from SEPA review as a minor land use decision, per WAC 197-11-800(6) and an Environmental Checklist is not required. This exemption only applies if there are no critical area impacts.
5. Review procedures: Review procedures are established under Chapter 18.13.370. The short plat is required to be revised under a Level 2 process per IMC 18.04.370, administrative review and with public notice to property owners within 300 feet of the site. The proposal met the public notification requirements (for notice of application and public comment notice) for the Level 2 Short Plat review. A notice of the short plat subdivision including maps of the property was mailed to surrounding property owners within 300 feet of the site on March 16, 2012, and a 2 week comment period was provided. The comment period ended on March 30, 2012. No public comments were received regarding the short plat proposal. One letter of comments was received regarding the development of the property – see discussion on item 18, page 13.
6. A Certificate of Transportation Concurrency was required and was provided for the short plat subdivision and 4 dwelling units proposed, by certificate CON12-00002. The certificate was issued on March 7, 2012. It was determined that the short plat would generate 3.03 new PM peak hour trips for the 3 new dwelling units proposed (credit given for the house being demolished). The proposal is consistent with the requirements of the Transportation Concurrency Management Code (IMC Chapter 18.15). No further review for transportation was required for the short plat proposal.
7. The Subdivision Code, stating with Chapter 18.13.020-E (Scope), establishes the Short Plat regulations that apply to land being divided into four or fewer lots and which have not been divided as part of a Short Plat within a period of five years previously. The subject property has not been subdivided within the last 5 years.
8. The Short Plat must meet the requirements of IMC 18.13.380 "Design Standards":
 - A. *Lands which the Planning Director/Manager has found to be unsuitable due to flood, inundation, or swamp conditions likely to be harmful to the safety, welfare and general health of the future residents, and the Planning Director/Manager considers inappropriate for development, shall not be subdivided unless adequate means of control have been formulated by the applicant and approved by the Public Works Director.*

Response: The site does not contain "critical areas" that make the property unsuitable for subdividing and further development.

- B. *The applicant shall furnish a soil test if required by the Public Works Director. The Public Works Director shall determine whether control measures are warranted. The applicant shall be responsible for the design, installation and expense of any device or corrective measures subject to the approval of the Public Works Director.*

Response: A soils test was not required for the Short Plat. The property is already developed with a single family dwelling. A soils report will be required with the Building Permit for the new dwellings.

- C. *All lots shall abut upon or have adequate access, by easement or private road, to a dedicated or deeded public right-of-way. In the event that an existing abutting public right-of-way does not meet the minimum width standards, additional right-of-way may*

be required prior to approval of a short subdivision.

Response: Two of the lots will have direct access onto 1st Avenue NE to the west and 2 of the lots will have access to an alley to the east, all public right-of-ways. The Public Works Department has determined that additional street and utility improvements are required for the Short Plat, including curbs, gutters and sidewalks along 1st Avenue NE and Creek Way. Some additional street paving will also be required as half street improvements fronting the property.

- D. *The minimum land area for each lot shall be no less than the minimum allowed by this Code (District Standards Table, IMC 18.07.360) for the specific zone in which the proposed short subdivision is planned to be located, plus any additional area to be used for access easement and/or private roadway.*

Response: The proposed lots will be almost square like, except for lots 2 and 3 which front angled street, NE Creek Way. The short plat will place each dwelling unit on its own lot. Zero lot line will be achieved for the duplex on lots 1 and 4 and for the duplex on lots 2 and 3, creating single family attached units. The SF-D (Single Family-Duplexes) zoning requires a minimum lot size of 3,000 square feet for attached single family units. The 4 lots contain the required minimum square footage as shown below and by the closure calculations (Exhibit 12)

| <u>LOTS:</u> | <u>LOT AREA:</u> |
|--------------|---------------------|
| • Lot No. 1: | 3,015.0 square feet |
| • Lot No. 2 | 3,795.3 square feet |
| • Lot No. 3 | 3,086.8 square feet |
| • Lot No. 4 | 3,014.9 square feet |

9. The proposed Short Plat will create 4 lots as identified on the Short Plat site drawings, Exhibits 37 and 38). The property is currently developed with a single family house and a detached garage that will be demolished. Non-buildable lots are not being created with the short plat.

The SF-D zoning of the property allows a maximum impervious surface ratio of 50% on each lot. The lots within the short plat when developed with dwellings will have a pervious ratio of approximately 51% and an impervious surface ratio of 49%. Building Permit submittals for the two building will need to provide confirmation of the pervious/impervious surface ratios.

10. All 4 lots have acceptable access for ingress & egress. The property is surrounded by 1st Avenue NE to the west, NE Creek Way to the south, and an alley to the east. Two of the dwelling units will have driveway access from 1st Avenue and 2 of the units will have access from the alley. No access is provided from along Creek Way.
11. The property does not contain Critical Areas that make the property unsuitable for the short plat subdivision.
12. IMC 18.13.390 "Required Improvements" states that the Planning Director/Manager shall determine that the following improvements are available for each parcel created by the division of land:

A. *Adequate water supply when necessary;*

Response: The 4 lots are adequately served by City water. An existing 8 inch water service line runs down both 1st Avenue NE and NE Creek Way.

B. *Adequate method of sewage disposal;*

Response: The 4 lots are adequately served by City sewer. An existing 8 inch sanitary sewer runs down both 1st Avenue NE, NE Creek Way and the alley to the east.

C. *Provision for appropriate deed, dedications and easements;*

Response: A small area of the southwest corner of Lot 2 will be dedicated to the City of Issaquah for the proposed sidewalk.

D. *Storm drainage improvements and storm sewers when necessary;*

Response: Storm water drainage will be collected in drywells (Type II, 48" design) proposed on lots 1 and 2. A 12 inch storm water line also runs down NE Creek Way.

E. *Fire hydrants when necessary;*

Response: Adequate fire hydrants are available. An existing fire hydrant is located at the southwest corner of the site by 1st Avenue NE and NE Creek Way. The fire hydrant will be slightly relocated due to the construction of the new sidewalk.

F. *Street and alley paving, and concrete curbs, gutters and sidewalks when necessary;*

Response: A 5 foot wide sidewalk will be constructed along 1st Avenue NE and NE Creek Way fronting the subject property. Portions of the fronting streets will also receive additional paving including curb and gutter.

G. *Street lights when necessary;*

Response: No additional street lighting is required for the short plat. Existing street lights are adequate.

H. *Adequate provisions for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.*

Response: The proposed short plat will be adequately served by Issaquah schools and City parks, including Clark Elementary School to the south, and Tiger Mt. High, Issaquah High School and Issaquah Middle School also to the south. The site is directly north of Memorial Field Park. The "Rainier Greenway" parkway is one block to the west which links to other paved pedestrian walkways.

Summary: The proposal meets the short plat requirements, A – H, as discussed above.

13. The City has determined that appropriate provisions are available or have been made for public health, safety, and general welfare.
14. The application was routed to City Departments for review and comment. Those comments are incorporated into this Notice of Decision.

15. In accordance to IMC 18.13.400, all short plats shall be filed with the King County Department of Records and Elections and shall not be deemed formally approved until so filed. The filing of the short plat shall be the responsibility of the applicant. Every short plat filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the applicant (entered as Exhibit 7). A copy of the recorded plat shall be returned to the Issaquah Permit Center within ten (10) days of recording along with an electronic copy in a format acceptable to the Public Works Department.

REASONS FOR DECISION: ADMINISTRATIVE SITE DEVELOPMENT PERMIT:

1. The City of Issaquah Land Use Code authorizes the construction of duplexes to be reviewed as a Level 2 Administrative Site Development Permit (ASDP). A duplex is a Level 2 Review permitted use in the SF-D zone according to the Land Use Table, IMC 18.06.130.
2. The subject site is zoned "SF-D" (Single Family - Duplex), according to the City's Zoning Map. This zone allows a duplex on a lot having a minimum of 6,000 square feet of property and lots may be reduced to a minimum of 3,000 square feet as proposed with attached single family dwelling units.
3. The Comprehensive Plan Land Use Designation Map of this site (as amended January 16, 2011 by Ordinance 2643) is classified as "Low Density Residential" with a Subarea designation as "Olde Town." The zoning of the site (SF-D) and the Comprehensive Plan are in compliance with each other. This is an area that is targeted for redevelopment and additional growth. The neighborhood is a mix of both single family and duplex dwellings.
4. The site is not constrained by "Critical Areas" such as steep slopes, creeks and wetlands that are protected with buffers and setbacks. The site is a flat parcel that currently contains a single family house and a detached garage. The property is being re-developed with the construction of 2 new duplexes (as single family attached units) for a total of 4 dwelling units. The older single family house on the property will be demolished.
5. The proposed subdivision and construction of the duplexes on the property required that a Certificate of Transportation Concurrency be issued. A Certificate of Transportation Concurrency was issued on March 7, 2012 under certificate No. CON12-00002. It was determined that the proposed duplexes will generate 3.03 new peak-hour trips; 1.01 trips per dwelling unit (Mon – Fri, 4:00 – 600 p.m.). Credit for transportation trips was given for the existing house on the property that will be demolished. The Certificate, CON12-00002 is entered as Exhibit 9.
6. The 4 dwelling units within the 2 duplexes were determined not to require an environmental SEPA Checklist. The project is Exempt from the requirements of SEPA per WAC 197-800(1)(b)(i).
7. Impact fees are required to be paid at the time the Building Permit is issued for the following impacts: Transportation Impact Fee (IMC Code 3.71), School Impact Fees - Issaquah School District (IMC Code 3.63), Parks Impact Fee (IMC Code 3.72), and Fire Impact Fee (IMC Code 3.73). Calculation sheets for these fees are available from the Development Services Department. The impact fees are required of the 3 additional new

dwelling units added to the site. Credit is given for the existing house that will be demolished.

8. The development standards for the zoning of the property, "SF-D", are shown below (District Standards Table of the Land Use Code—IMC 18.07.360):

| STANDARDS | REQUIRED OR ALLOWED | PROVIDED |
|-------------------------|--|--|
| DENSITY: | 4 dwelling units | 4 dwelling units |
| LOT AREA: | 3,000 sq. ft. per dwelling unit | Lot 1: 3,015.1 sq. ft. Lot 2: 3,795.3 sq. ft. Lot 3: 3,086.8 sq. ft. Lot 4: 3,014.9 sq. ft. |
| FRONT SETBACK: | Lot 1: 10 feet west Lot 2: 10 feet. west Lot 3: 10 feet east Lot 4: 10 feet east | 10 feet 10 feet 10 feet 10 feet |
| REAR SETBACK: | Lot 1: 0 feet east Lot 2: 0 feet east Lot 3: 0 feet west Lot 4: 0 feet west | 0 feet 0 feet 0 feet 0 feet |
| SIDE SETBACK: | Lot 1: 6 feet north & south Lot 2: 6 feet north & south Lot 3: 6 feet north & south Lot 4: 6 feet north & south | 6 feet & 8 feet 6 feet & 6 feet 6 feet & 6 feet 6 feet & 8 feet |
| IMPERVIOUS AREA: | 50% maximum | 49% |
| PERVIOUS AREA: | 50% minimum | 51% (6,546.81 sq. ft.) |
| PARKING: | 8 parking stalls (2 per dwelling unit) | 8 parking stalls (in garages) |
| BUILDING HEIGHT: | 30 feet maximum | 25 feet measured from the average surface grade to the average of the highest pitched roof. |

9. The parking regulations of the Land Use Code (Chapter 18.09.050) require duplexes to provide 2 on-site parking stalls per dwelling unit. The project requires a total of 8 parking stalls for the duplex buildings which will all be located within garages.
10. Access will be provided as follows: Vehicular access to the garages is off 1st Avenue NE (lots 1 and 2) and from the alley to the east (lots 3 and 4). Sidewalks for pedestrian access will front both 1st avenue and NE Creek Way.
11. City utilities are available to serve the duplexes as follows:
- Water: An 8 inch water service line runs down 1st Avenue NE and NE Creek Way.
 - Sewer: An 8 inch sanitary sewer runs down 1st Ave NE, NE Creek Way and the adjacent alley.
 - Fire Hydrant: An existing fire hydrant is located at the corner of 1st Avenue NE and NE Creek Way, adjacent the site.
12. Storm water drainage: The project will contain on-site storm water by dry wells as shown in detail on the site plan (within front yard).

13. Building Design: The new duplexes will be designed in compliance with the Design Criteria Checklist (adopted by Ordinance No. 1983). The project meets the criteria of the Design Criteria of Appendix 2, of the Land Use Code as follows:

A) Site Layout & Overall Design Concepts:

1. *Building Location:* The project is comprised of a two duplex dwellings that run east to west and the site will be subdivided into 4 lots so that each dwelling unit is on its own lot. Zero lot line will be done for the building on lots 1 and 4 and with the building on lots 2 and 3, creating single family attached units. The buildings visually will still have the appearance as duplexes. The buildings are centered on the lots providing yards on 3 sides except for where the zero lot line is created by the garages. The buildings are sited well on the property.
2. *Energy Efficient Design:* The duplexes will need to meet Washington State Energy Code requirements with the construction permits.
3. *Functional Site Design:* The design and layout of the duplexes is acceptable for the site. The development as arranged on the lots will have a low intensity appearance, being 2-stories in height. The designs of the duplexes are traditional in appearance to fit in with the "Olde Town" character of the neighborhood.
4. *Lighting:* No special exterior lighting for the project is proposed outside of porch lights. The project has been conditioned that any outdoor lighting will need to comply with the requirements of the Outdoor Lighting standards of the Land Use Code.
5. *Natural Setting – Views:* No views of the City's natural setting will be compromised with the project.
6. *Existing Vegetation/Topography Features:* The property is flat without significant topographic features. A site survey of the property has been provided with the short plat drawings, indicating the existing dwelling, detached garage, significant trees, and site utilities. Existing trees that can be saved are identified on the landscaping plans. The tree preservation chapter of the landscape code (IMC 18.12.1385) requires that 30% of the total caliper of significant trees be saved. The total caliper on site is approximately 291 inches and 164 inches will be retained which is 56.4%. The majority of the trees to be retained are along the northern property line, the western side and a large Sitka spruce on the southern side.
7. *Historical/Cultural Landmarks:* Not applicable.

B) Landscape Design and Use of Plant Materials:

1. *Design Elements:* Landscaping for the project includes a combination of tree retention, new ornamental trees, shrubs and ground cover plantings as identified on the landscaping plan, sheet LA-02, including: Flowering crabapple (P. Prairiefire), Shore pine, Vine maple, Victoria wild lilac, Blue Bunchgrass, Diablo Ninebark, Longleaf Oregon grape, Kinnikinnick and lawn. The plant is selected to make use of drought tolerant species and an underground irrigation system is not proposed. Existing trees to be retained on site include those marked on the landscaping plan along the north, south and western sides. Appropriate tree

protection measures during construction will need to be in place for the trees to be retained.

Six foot high privacy fencing is also proposed within the rear and side yards. Four foot high fencing is proposed within the front yards facing 1st Avenue NE and the alley to the east.

2. *Design Unity*: The project design uses design unity by repetitive use of ornamental landscaping materials that will be compatible with landscaping within the neighborhood. The selected plant materials show unity is their use on all 4 lots, except for the street trees along 1st Ave. and NE Creek Way. The lawn element the design will be extended onto the streets right-of-ways.
3. *Enhanced Design*: The new landscaping proposed for the project works well to strengthen the important focal points of the site. A majority of the yards will be maintained in lawn, similar with neighboring properties.
4. *Usable Open Space Design*: Useable open space for passive recreation is provided within decks and porches. Usable lawn area is also provided for each of the 4 dwelling units.
5. *Plant Materials*: The landscaping plan includes new native and ornamental landscaping selected for structure, texture, scents and color consisting of trees, shrubs and ground covers. Some existing trees as identified on the landscaping plan will be retained.

C) Design Harmony & Compatibility:

1. *Accessory Structures*: No accessory structures are proposed.
2. *Building Materials/Components*: The duplexes are not overly large for the site and is designed to fit in within the neighborhood with a traditional style of architecture including 4" lap horizontal lap siding on the lower ends of the buildings and split face cedar shake shingles at the lower levels, board and batten at the gables, and at the clerestory, cedar decking, board and batten chimneys, and architectural composite shingle roofs. The materials and colors chosen for the duplexes with a material/color board are entered as Exhibit 18.
3. *Compatibility*: Uses around the site include a mix of both single family and multi-family residential use. The proposed duplexes will be 2-stories in height.
4. *Design Components*: Design components, such as colors, modulation with building elevations, gabled and clerestory elements are acceptable for the duplexes. Bright and brilliant colors are not used. Facades and ground level blank walls are broken up with modulation, windows and roof overhangs. Corporate style is not applicable to the project.

The roof is pitched at 8:12 and at different planes and at 2:1 at the clerestory level to create interesting rooflines. The duplexes are within the allowable height range for the SF-D zone. Blank walls are not used as facades but will have windows and varied plants and materials.

5. *Signage*: Not applicable. The only signage will be individual address signs for

the dwelling units. Final addressing of the units will be subject to approval by the Fire Department.

6. *Transition:* The duplexes will provide good transition with adjoining and permitted land uses. The neighborhood is a mix of both single family and duplex dwellings. The neighborhood is in transition, going from the older traditional single family houses to the newer duplex dwellings. The duplexes are designed to comply with the allowable building setbacks and allowable pervious/impervious surface ratios for the zoning of the property.
7. *Projects with Multiple Structures:* The project includes 2 duplex buildings for a total of 8 dwelling units.

D) Pedestrian and Vehicular Areas:

1. *Barrier-Free:* The main pedestrian route is the walkways connecting front doors to the street sidewalks. There is no sidewalk proposed on the alley side of the eastern lots.
2. *Circulation/Trail Access:* Trail access is not applicable to the project.
3. *Design – Parking Areas:* The project provides 8 on-site parking stalls (2 stalls in each garage for each dwelling unit). The parking is tandem design for each dwelling unit. The garages are setback further than the dwellings so that vehicles parked in the driveways will not overhang onto street right-of-ways.
4. *Public Access – Adjacent to Site:* Public sidewalks will front along 1st Avenue NE and NE Creek Way.
5. *Public Access – Within Site:* There is no public access in the site.
6. *Trail Design:* Not applicable.
7. *Transition of Design Elements and Amenities:* The proposed duplexes provide a desirable transition in relation to the adjoining and permitted land uses in the neighborhood -- a combination of single family and duplex developments. The scale and architectural design of the duplexes should blend in with the neighborhood.

E) Service and Storage Areas:

1. *Screening – Service Yards and Outdoor Storage:* There is no service yard or storage yard with the project. Individual garbage cans/recycling bins will be provided to the dwelling units for garbage and recycling within the garages.
2. *Screening – Mechanical Equipment:* Not applicable.
3. *Screening – Display Areas:* Not applicable.

F) CPTED (Crime Prevention through Environmental Design):

The walkways and landscaping will direct visitors to the proper entrances to the dwelling units. The proposed landscaping is not so dense to impact viewing to and from the dwelling units. The property lines are defined with both landscaping

and new fencing that will be installed.

14. The duplexes are proposed to reflect the following building materials and colors. The material/color board is entered as Exhibit 18. The design elements are also listed on the building elevation drawings. The building materials with the material board are identified as:

- Roof: Asphalt shingles (dark gray), 3 Tab
- Siding: Cedar, board and batten, shake siding for fascia.
- Hardi plank, horizontal lap siding
- Paint Colors: Light tan, brown, beige, dark blue, ruskin room green, dard hunter green, Rembrandt ruby, and cream
- Windows: Clear glass

15. Additional Approval Criteria for multifamily and duplex developments: IMC 18.07.440

Access and Circulation:

- 1) Motorized: Vehicular access is provided such that it will not have a negative impact upon adjacent land uses. Vehicle access is from both 1st Avenue NE and the alley to the east. No vehicular access is from Creek Way.
- 2) Nonmotorized: Pedestrian walkways will be provided at the site with new sidewalks fronting both 1st Avenue NE and NE Creek Way fronting the project as required street improvements.

Building Modulation:

The 2 duplexes has been designed to provide facade modulation in the form of indentations, extrusions, facade windows & doors and detailing with the use of varied wood materials and colors. The interior façade between the northern and the southern building has less modulation, but those walls are not visible from the streets. Those walls are to garage exteriors. Those walls will have some windows to break up the solid appearance.

Duplex and Townhouse Standards in Single Family Neighborhoods:

The duplex is located in an established older single family residential neighborhood (Olde Town) that's going through transition to duplex dwellings as allowed by the SF-D zoning of this area. The architecture of the buildings as designed should be compatible with the character of the neighborhood along SE Bush Street. The style is traditional. The buildings are 2 stories in height.

Parking:

Parking is in compliance for multifamily developments as established in the Table of Off-Street Parking Standards, IMC 18.09.050. Each dwelling unit requires 2 parking spaces and 2 parking spaces in garages have been provided for each dwelling unit. 4 dwelling units require 8 parking stalls are they are all being provided in garages in tandem design.

Private or Common useable Outdoor Space:

Private outdoor space for each of the 4 individual dwelling units is being provided as required in the form of decks or private porches and with 6' x 8' patios. The dwelling on lot 2 will have a south facing deck rather than a patio.

Roofline Variation:

The elevation drawings show varied rooflines with the duplexes to break up the overall

bulk and mass, including the use of windows at the clerestory level. Roof line variation is acceptable.

Screening - Parking and Structures:

The parking areas are fully screened in that all parking stalls will be located within garages.

16. The project Planning application and plans were routed to all project reviewing departments and divisions, and their comments and concerns have been addressed in this Notice of Decision.
17. Additional conditions may be placed on the project based on the Public Works Department, Building Department and Fire Department review of the construction permit requirements.
18. Public Notification: Public notification to property owners within 300 feet of the subject site was required as part of the Level 2 Review – Short Plat, Administrative Site Development Permit and Administrative Adjustment of Standards for Setbacks. Notice of the project was mailed out to property owners on March 16, 2012, and a comment period was established, ending on March 30, 2012. A public meeting was not required. Written correspondence was received from one citizen regarding preservation of a large Sitka Spruce tree along Creek Way. (correspondence entered as Exhibit 17).

Staff response:

The comments and concerns addressed in summary the following: Concern about the large conifer tree along Creek Way, that it is a treasure to the neighborhood and should be left along due to its size. The city did receive 2 arborist reports about the existing trees on the site and unfortunately, the largest of the trees along Creek Way (a 49" caliper sized Sitka Spruce) will not be saved. Different layouts of the floor plans for the buildings have been considered, but due to the location of the tree and its great root spread and canopy, too much of the root system would be damaged if the dwelling on lot 3 is constructed. The eastern most tree along Creek Way also a Sitka Spruce (23" caliper size) and it will be retained. A large 40" silver fir tree along Creek Way that is dying will be removed along with a 10" Sawara Cypress that is not desirable. Two large Sitka spruce trees (39" and 36") along 1st Avenue will be saved.

REASONS FOR DECISION: ADMINISTRATIVE ADJUSTMENT OF STANDARDS

1. 18.07.260 General Purpose:
The purpose and intent of administrative adjustment of development standards is to provide the flexibility to modify standards in all zoning districts at the administrative level. Approval must be based on a determination that the adjustment is consistent with the purpose and intent of this Code and of the development standards. This provision requires a Level 2 Review (Chapter 18.04 IMC) regardless of street frontage or parcel size, with public notification to adjacent property owners.
2. 18.07.270 Process:
The Planning Director/Manager has the authority to make the final decision regarding Administrative Adjustment of Standards for all levels of review. The Director/Manager shall consider the application information regarding the approval criteria which has been provided by the applicant and any public comment which has been received within the comment period. The Director/Manager may request input from the Chair of the Development Commission during the comment period; however, this is not required. The

Planning Director/Manager's decision on the Administrative Adjustment of Standards is final unless appealed. Appeals to a Level 2 Review/Administrative Adjustment of Standards decision are made to the Hearing Examiner (further appeals to King County Superior Court).

3. 18.07.330(A): Purpose for Setbacks:

The purpose of permitting the Administrative Adjustment of Setback Standards is to provide for flexibility in reducing or modifying setbacks in all zoning districts, without permitting a setback adjustment that would negatively impact the surrounding neighborhood. An adjustment to a setback may be approved based on a determination by the Planning Director/Manager that the adjustment is consistent with the purpose of this Code, the intent and purposes of the setback standards, and will accomplish one (1) or more of the following objectives:

- 1) Allow buildings to be sited in a manner which maximizes solar access;
- 2) Allow zero lot line, semidetached (common wall construction) or other types of cluster development in conformance with the provisions of this Code;
- 3) Coordinate development with adjacent land uses and the physical features of the site;
- 4) Permit flexibility in the design and placement of structures and other site improvements;
- 5) Allow development consistent with the scale and character of the existing neighborhood;
- 6) Provide flexibility for a site which has one (1) or more of the following constraints:
 - a. Existing development which was permitted or platted under previous land use regulations; or
 - b. A vacant site which had development approval or was platted under previous land use regulations; or
 - c. Physical features of the site which prevent development that is compatible and consistent with the character and scale of the surrounding area, such as the unique site constraints in the older part of the city;
- 7) Allow reduction of the required setbacks in order for the placement of the building to be adjusted on the lot for retention of existing significant trees.

4. 18.07.330 (B): Approval Criteria:

These setback standards are applicable in a residential, commercial, industrial or mixed use development, unless otherwise provided. These standards are not applicable to the Mineral Resource Zone. Setback standards for the Mineral Resource Zone are provided at IMC 18.07.525. These standards may be adjusted administratively through the approval of all the following criteria, in addition to the approval criteria for Level 2 Review:

- (1) Compatibility: The adjustment of setbacks is compatible in scale and character with existing neighboring land uses; and
- (2) Consistency: The proposed development meets all other development and design standards as governed by the District Standards Table and the Design Criteria Checklist, unless those standards are modified through approved:
 - a. Cluster provisions; or
 - b. An Administrative Adjustment of Standards; and
- (3) Consistency with Zoning District: The adjustment of setbacks shall provide consistency with the intent and character of the zoning district involved; and

- (4) Impacts:
 - a. Adjacent Property Owner(s): The adjustment of setbacks does not negatively impact the adjacent property owners;
 - b. Critical Areas: The adjustment of standards is consistent with the purpose and intent of the critical area regulations, and does not negatively impact any adjacent critical areas;
 - c. Public Services: The adjustment of setbacks does not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements; and
 - d. Structure(s): Any structure(s) which is within the proposed setback modification area does not negatively impact the adjacent property through incompatible height, bulk, design, color or other feature; and
- (5) Intent: The adjustment of standards will be equal to or superior in fulfilling the intent and purpose of the original requirements; and
- (6) Impervious Surface Ratio: The required impervious surface area for the property is not exceeded; and

5. City response to AAS approval criteria:

Compatibility: The adjustment of standards request to reduce the yard setback facing Creek Way from 10 feet to 6 feet as this yard is slightly the narrowest in width making it the front yard by definition. The applicant desires to use the western side as the front and 10 feet is being provided there instead. Only a small portion of the southern yard is reduced to 6 feet as it widens to approximately 25 feet at the southwestern corner, from the property line to a proposed deck.

The yard provided will be compatible with others in the neighborhood. New fencing and landscaping will also be provided along this side of the yard. The yard will also appear larger in that there is additional right-of-way between the proposed sidewalk and the property line that will be landscaped. A landscaping buffer is also provided between the sidewalk and the street curbing that will be landscaped with flowering trees.

Consistency: The proposed dwelling unit on Lot #2 will meet all other development standards of the Land Use Code including the yard setbacks, except as modified slightly along Creek Way as requested.

Consistency with Zoning District: The intent and character of the zoning district involved (single Family – Duplexes – “SF-D”) will remain as an attached single family house (2 dwelling units) Other yards requirements on the lots are not being altered.

Impacts to adjacent property owners: The adjustment of standards to reduce the side yard for the house addition will not negatively impact the adjacent neighbors to the south which is NE Creek Way and a city park: Memorial Field Park. The yard facing the park will be landscaped and flowering crab apple street trees planted. No public comments were received from adjacent property owners regarding the adjustment of standards.

Impacts to critical areas: There are no “critical areas” on the site.

Impacts to public services: There will be no negative impact to public services including emergency access, access to the streets or tracts or easements.

Impacts to adjacent property: The minor reduction of the yard facing NE Creek Way should not have a negative impact to the adjacent properties. The site is surrounded by city right-of-way on the south, east and west sides. No public comments were received of the yard reduction. The yard reduction does not impact the decision to remove a large Sitka Spruce tree that is located further east and by lot #3. The design and colors of the proposed dwelling will be compatible to those in the neighborhood as well.

Intent: The adjustment of standards requested for the dwelling will be equal or superior in fulfilling the intent and purpose of the original requirement in allowing for flexibility in reducing and modifying the yard setback. Rather than having the front yard facing Creek Way, it will face 1st Avenue like the duplex dwelling directly to the north. The side yard building setback along 1st Avenue will be increased from the minimum of 6 feet to 10 feet.

Impervious surface ratio: The maximum impervious surface ratio of the SF-D zone is 50% and the minimum pervious surface ratio is 50%. The project is designed to comply with those development standards.

Time Limit of Approval:

The final decision approving the Planning Permits is valid for three years as specified by IMC 18.04.220-C-5

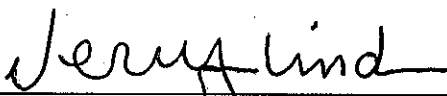
EXHIBIT LIST:

1. Short Plan application, PLN12-00010, received 2-29-2012
2. Administrative Site Development Permit application, PLN12-00011, received 2-29-2012
3. Administrative Adjustment of Standards application, PLN12-00012, received 2-29-2012
4. Vicinity Map
5. Affidavit of Ownership/Agent Authority (4 pages), received 2-29-2012
6. Project Narrative, received 2-29-2012
7. Title Report (3 pages), received 2-29-2012
8. Soil fertility report for landscaping (2 pages), received 2-29-2012
9. Certificate of Transportation Concurrency, issued 3-7-2012
10. Photographs of property (6) taken by Development Services Department, 4-12-2012
11. Aerial photo of existing site (from Development Services Department)
12. Closure calculations for short plat, received 3-12-2012
13. Correspondence received from Fred Pribbernow, received 3-22-2012
14. Tree report from Maples Tree Specialists, received 6-5-2012
15. Arborists letter from Azure Bartron, Combines Cutting Contractors, Inc, received 6-28-2012
16. Response to Code Concerns by applicant, received 6-28-2012
17. Letter from Fred Pribbernow, received 3-22-2012
18. Material/Color board, received 2-29-2012

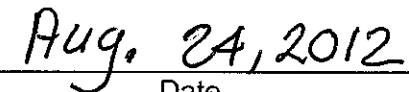
Project Drawings:

19. Cover sheet, sheet G1, received 2-29-2012
20. Short Plat drawing, sheet 1 of 2, received 2-29-2012
21. Short Plat drawing, sheet 2 of 2, received 2-29-2012
22. Site Plan, sheet G4, received 2-29-2012
23. Landscape Plan, sheet LA-01, received 2-29-2012
24. Landscape Plan, sheet LA-02, received 2-29-2012
25. Landscape Plan, sheet LA-03, received 2-29-2012
26. Preliminary short plat, sheet SP-01, received 2-29-2012
27. Preliminary short plat, sheet SP-02, received 2-29-2012

28. Main Level Plan, (lots 1/4) sheet A1, received 2-29-2012
29. Upper Level Plan, (lots 1/4) sheet A2, received 2-29-2012
30. Main Level Plan, (lots 2/3) sheet A3, received 2-29-2012
31. Upper Level Plan, (lots 2/3) sheet A4, received 2-29-2012
32. Elevations, (lots 2/3), sheet E1, received 2-29-2012
33. Elevations, (lots 2/3), sheet E2, received 2-29-2012
34. Elevations, (lots 1/4), sheet E4, received 2-29-2012
35. Cover sheet & Existing Features, sheet SP-01, received 6-28-2012
36. Grading, Drainage & Roadway Plan, sheet SP-02, received 6-28-2012
37. Short Plat cover sheet, sheet 1 of 2, received 6-28-2012
38. Short Plat drawing, sheet 2 of 2, received 6-28-2012
39. Landscape Plan, sheet LA-01, sheet 1 of 3, received 6-28-2012
40. Landscape Plan, sheet LA-02, sheet 2 of 3, received 6-28-2012
41. Tree Retention Plan, sheet LA-03, sheet 3 of 3, received 6-28-2012
42. Drainage and Roadway Plan, sheet SP-02, received 7-24-2012
43. Revised civil drawings (2 sheets), sheet SP-01 and SP-02, received 8-23-2012



Jerry Lind, Senior Planner



Date

JL/jl PLN12-00010 & 11 & 12, Notice of Decision

220 1st Avenue NE, Issaquah, WA

